

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
WESTERN DIVISION

CHRIS JAMES LEONARD

PETITIONER

VERSUS

CIVIL ACTION NO. 5:10-cv-37-DCB-MTP

STATE OF MISSISSIPPI, et al.

RESPONDENTS

**AMENDED ORDER DENYING MOTION TO APPEAL IFP**

The court has considered the appellant's application for leave to proceed in forma pauperis on appeal, the certified trust fund account statement or institutional equivalent, and all consents and other documents required by the agency having custody of the appellant to withdraw funds from the account.

The application for leave to proceed in forma pauperis on appeal pursuant to 28 U.S.C. § 1915 and Fed. R. App. P. 24(a)(1) is DENIED for the following reason(s):

[    ] The applicant is not a pauper.

[    ] The applicant has not complied with the requirements of Rule 24(a)(1) or has failed to supply Form 4 describing the Petitioner's financial situation.

[ x ] Pursuant to 28 U.S.C. § 1915(a)(3) and Fed. R. App. P. 24(a)(3), the court certifies that the appeal is not taken in good faith for the reasons in the Order adopting Report and Recommendation, dated March 1, 2011. Baugh v. Taylor, 117 F. 3d 197, 202 n.21 (5<sup>th</sup> Cir. 1997).

SO ORDERED AND ADJUDGED, this the 21st day of April 2011.

s/ David Bramlette

UNITED STATES DISTRICT JUDGE